

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CASE NO. 5:24-cv-00686-BO-KS

FILED

MAY 09 2025

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY  DEP CLK

KATHERINE MOORE, et al,

Plaintiffs,

v.

Mike Silver in his individual and official
capacity as Training and Services Director for the
North Carolina Administrative Office of the Court,
Defendant.

**MOTION FOR ORDER TO
SHOW CAUSE AGAINST
JUDGE GEORGE R. HICKS,
III FOR CONTEMPT OF
FEDERAL SEALING ORDER**

NOW COMES Movant, Edyta Hanna Basista, Pro Se, and respectfully moves this Honorable Court for an Order to Show Cause requiring Judge George R. Hicks, III, of the Wake County Superior Court, to appear and explain why he should not be held in contempt for his willful refusal to seal Movant's personally identifiable information (PII) in violation of this Court's March 31, 2025 Sealing Order. In support of this Motion, Movant states the following:

1. This Court entered a Sealing Order on March 31, 2025, in the above-captioned case, sealing Plaintiffs' Exhibit EB02 pursuant to Federal Rule of Civil Procedure 5.2 and Local Civil Rule 79.2.
2. The Sealing Order expressly protects Plaintiff Edyta Hanna Basista's PII from public disclosure and restricts access to the Court and authorized parties only.
3. On April 28, 2025, during a hearing in Wake County Superior Court, Judge George R. Hicks, III, refused to honor this federal Sealing Order, despite being put on actual notice by Movant. During the same hearing, Judge Hicks further threatened to sanction Movant for attempting to enforce her federally protected rights, thereby retaliating against her for exercising her rights under the United States Constitution and federal court orders.

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4. Judge Hicks' failure to seal Movant's PII as ordered by this Court constitutes a direct violation of the Sealing Order and a willful disregard for the Supremacy Clause of the United States Constitution (U.S. Const. art. VI, cl. 2).
5. This Court retains inherent authority to enforce its own orders and protect the integrity of its judicial power, including the power to hold non-party state judges in contempt when they act in open defiance of a federal order.

WHEREFORE, Movant respectfully requests that this Court:


1. Issue an Order to Show Cause requiring Judge George R. Hicks, III, to explain his failure to enforce the Sealing Order and why he should not be held in contempt;
2. Impose appropriate sanctions, remedies, or injunctive relief as necessary to ensure compliance and protect Movant's federally protected rights;
3. Grant any other relief this Court deems just and proper.

Respectfully submitted this 9th day of May, 2025.



/s/ Edyta Hanna Basista
Edyta Hanna Basista, Plaintiff Pro Se
PO Box 27806, Raleigh, NC 27611

I declare under penalty of perjury that the foregoing is true and correct.
 Executed on 9th May 2025.



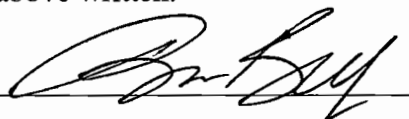
 Edyta Hanna Basista, *Plaintiff Pro Se*
 PO Box 27806, Raleigh NC 27611

STATE OF NORTH CAROLINA

COUNTY OF Wake

On this 9 day of May, 2025, before me, the undersigned Notary Public, personally appeared Edyta Hanna Basista, personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, the individual executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



 Notary Public

My Commission Expires: 10-19-26

